

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CHRISTOPHER P. CARTER,

Plaintiff,

2:13-cv-00366-CL

v.

ORDER

ODOC, et al.,

Defendants.

AIKEN, District Judge.

Pursuant to Local Rule 83.10, a party not represented by counsel has a "continuing duty to notify, the clerk's office whenever they change their mailing address or telephone number." When mail from the court to a party cannot be delivered due to the lack of a current address, and the failure continues for sixty (60) days, the court may dismiss the action. Local Rule 83.12.

Plaintiff is a *pro se* litigant. A Summary Judgment Advice Notice and Scheduling Order (#43) sent to plaintiff on

January 13, 2014, was returned to the court on January 31, 2014, as undeliverable. An Order to Show Cause (#50) sent to plaintiff on June 27, 2014, was returned to the court on July 11, 2014, as undeliverable.

Pursuant to the court's Order (#50), defendants' unopposed Motion for Summary Judgment (#40) is allowed. This action is dismissed for failure to comply with the requirement of L.R. 83.10 and for failure to prosecute. The Clerk of the Court is directed to enter a judgment dismissing this action with prejudice.

Any appeal from this order or the judgment of dismissal would be frivolous and not taken in good faith. Therefore, plaintiff's *in forma pauperis* status is hereby revoked.

DATED this 24 day of September, 2014.

A handwritten signature in cursive script, appearing to read "Ann Aiken", written in black ink.

Ann Aiken
United States District Judge